

May 2003

Update: Criminal Procedure Monograph 2—Issuance of Search Warrants (Revised Edition)

Part A — Commentary

2.15 Issuance of Search Warrant in OUIL Cases

Insert the following language on page 31, in the middle of the page after the paragraph beginning with “3. Determine that a licensed physician, . . .”:

In *People v Callon*, ___ Mich App ___, ___ (2003), the Michigan Court of Appeals held that MCL 257.625a(6)(c) does not govern the admissibility of blood test results that are not obtained by consent to chemical testing. The admissibility of results obtained through a search warrant as required by MCL 257.625d(1) is governed by the rules of evidence and any relevant constitutional considerations.